

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CIVIL APPLICATION No. 6305 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy
of the judgment ?

Whether this case involves a substantial question
of law as to the interpretation of the

4 constitution of India, 1950 or any order made
thereunder ?

5 Whether it is to be circulated to the civil judge
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P V MAKWANA - Petitioner(s)
Versus
CHAIRMAN & 1 - Respondent(s)

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Appearance :

MR SM MAZGAONKAR for Petitioner(s) : 1,
NOTICE SERVED for Respondent(s) : 1,
MRS KETTY A MEHTA for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 27/09/2006

ORAL JUDGMENT

By way of this petition under Article 226
of the Constitution of India, the petitioner has
basically prayed for an appropriate direction or
order quashing and setting aside the impugned

show cause notice dated 9.7.1996. It appears that during the pendency of the present Special Civil Application, show cause notice issued against the petitioner was proceeded further and by order dated 7.7.2001/29.4.2004 final order of penalty has been passed. In view of the above, so far as the present Special Civil Application is concerned, the same has become infructuous. Hence, the present petition is dismissed as having become infructuous. Rule is discharged. Ad-interim stands vacated forthwith. It is, however, made clear that it will be open for the petitioner to challenge the order of penalty in accordance with law and on merits subject to delay, latches etc., on which this Court does not express any opinion.

[M.R. Shah, J.]

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